



State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

October 23, 2013

CB&I

Michael Jennings, Project Manager
9201 E Dry Creek Road
Centennial, Colorado 80112

Subject: Permit Transfer, NEICO, Wellington Prep Plant, C/007/0012, Task ID #4410

Dear Mr. Jennings:

The Division of Oil, Gas and Mining has reviewed the second application for permit transfer of the Wellington Prep Plant facility from Nevada Electric Investment Company (NEICO) to Price River Terminal, LLC (PRT). Conditional approval for the permit transfer has been recommended by Division staff. The conditions for final approval are provided as an attachment to this letter.

Once the conditions have been met, final approval of the permit transfer will be granted. Please provide the additional information and bond coverage by November 27th, 2013. If you have any questions, please call me at (801) 538-5325 or Steve Christensen at (801) 538-5350.

Sincerely,

Daron R. Haddock
Coal Program Manager

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Conditions for Final Approval of Permit Transfer

Task No. #4410

Permit Transfer

- I. **R645-301-120, -121.300:** Submit two clean hard-copies of the application to the Division. A stamped incorporated copy will be returned for your records.
- II. **R645-301-112.300- 112.300:** Prior to the submission of the two clean hard copies, the Permittee must revise the phone number information on page 7 of the application (Section 112.100, 112.300) for Price River Terminal, LLC and Global One Transport, Inc. Per a phone conversation with Tim Stanley (President and CEO of Global Transport) and the Division (October 16th, 2013), the phone number listed in the application for Price River Terminal, LLC and Global One Transport, Inc. is Mr. Stanley's cell phone number (614 832-3578). The main phone number for Price River Terminal, LLC and Global One Transport, Inc. is (817) 717-1000. The Permittee is directed to revise the application with the main phone number for the two entities as part of the conditional approval of the application.
- III. **R645-301-114:** Once the sale of the Wellington Prep Plant property has closed and prior to the submission of the two clean hard copies, the Permittee must revise Section 114.100 of the currently approved Mining and Reclamation Plan (MRP).

The revision must contain a description of the documents upon which the applicant bases their legal right to enter and begin coal mining and reclamation operations in the permit area and will state whether that right is the subject of pending litigation. Additionally, the description will identify the documents by type and date of execution, identify the specific lands to which the document pertains and explain the legal rights claimed by the applicant.
- IV. **R645-303-323, -342:** Prior to final approval of the permit transfer, the Permittee must obtain and submit to the Division, appropriate performance bond coverage, or other guarantee in an amount sufficient to cover the proposed operations.